

HOUSE BILL 1138

C5

(0lr2125)

ENROLLED BILL

— Economic Matters/Finance —

Introduced by **Delegate Davis**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Residential Multiple Occupancy Buildings ~~and Shopping Centers~~ – Master**
3 **Meters – Heating, Ventilation, and Air Conditioning Services**

4 FOR the purpose of authorizing the Public Service Commission to authorize the use of
5 a certain master meter *for heating, ventilation, and air conditioning services* in
6 certain residential multiple occupancy buildings ~~and shopping centers~~ without
7 requiring individual metering or submetering *for heating, ventilation, and air*
8 *conditioning services* under certain circumstances; authorizing the Commission
9 to review certain information before authorizing the use of a master meter;
10 authorizing an electric company or a gas company to inspect and test certain
11 master meters in accordance with a certain provision of law; ~~providing for a~~
12 ~~certain exception;~~ defining ~~certain terms~~ *a certain term; providing for the*
13 *termination of this Act;* and generally relating to metering for electricity and
14 natural gas in residential multiple occupancy buildings ~~and shopping centers.~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
2 Article – Public Utility Companies
3 Section 7–301
4 Annotated Code of Maryland
5 (2008 Replacement Volume and 2009 Supplement)

6 BY adding to
7 Article – Public Utility Companies
8 Section 7–304.1
9 Annotated Code of Maryland
10 (2008 Replacement Volume and 2009 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Public Utility Companies**

14 7–301.

15 (a) A person may not furnish or put in use for revenue billing purposes a gas
16 meter or electric meter unless the Commission has authorized the meter's use.

17 (b) (1) Each gas company and electric company shall maintain suitable
18 equipment, approved by the Commission, for testing the accuracy of a gas meter or
19 electric meter furnished by the company for use by its customers.

20 (2) The gas company or electric company shall test a customer's meter
21 with the equipment in accordance with § 7–302 of this subtitle.

22 (3) A small rural electric cooperative described in § 7–502(a) of this
23 title may satisfy this section by demonstrating that the electric meters which it
24 furnishes to customers comply with the standards of the utility regulatory body of the
25 state in which the cooperative has its principal place of business.

26 (c) (1) This subsection applies to:

27 (i) a new residential multiple occupancy building;

28 (ii) a new shopping center; or

29 (iii) a new housing unit that is constructed, managed, operated,
30 developed, or subsidized by a local housing authority established under Division II of
31 the Housing and Community Development Article.

32 (2) The service restrictions imposed under this subsection do not apply
33 to central hot water.

1 (3) **[The] EXCEPT AS PROVIDED IN § 7-304.1 OF THIS SUBTITLE,**
 2 **THE** Commission may not authorize a gas company or electric company to service an
 3 occupancy unit or shopping center unit subject to this subsection unless the building
 4 or shopping center has individual metered service or submetering as provided under §
 5 7-303 or § 7-304 of this subtitle for each individually leased or owned occupancy unit
 6 or shopping center unit.

7 (4) In accordance with its regulations, the Commission may authorize
 8 a gas company or electric company to provide service for central heating or cooling
 9 systems, or a combination of those systems, to an occupancy unit or shopping center
 10 unit subject to this subsection if the Commission is satisfied that the service will result
 11 in a substantial net saving of energy over the energy saving that would result from
 12 individual metering or submetering as provided under § 7-303 or § 7-304 of this
 13 subtitle.

14 (d) The owner, operator, or manager of a residential multiple occupancy
 15 building or shopping center subject to this section may not impose a utility cost on an
 16 occupancy unit or shopping center unit, except for charges that:

17 (1) the Commission authorizes the gas company or electric company to
 18 impose; and

19 (2) the gas company or electric company actually imposes on the
 20 owner, operator, or manager.

21 **7-304.1.**

22 (A) ~~(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE~~
 23 ~~MEANINGS INDICATED.~~

24 ~~(2) “MASTER, “MASTER METER” MEANS A METER USED TO~~
 25 ~~MEASURE, FOR BILLING PURPOSES, THE TOTAL AMOUNT OF ELECTRICITY OR~~
 26 ~~NATURAL GAS USED IN A BUILDING BY A HEATING, VENTILATION, AND AIR~~
 27 ~~CONDITIONING SYSTEM, INCLUDING THE COMBINED USE FROM ALL~~
 28 ~~INDIVIDUALLY LEASED OR OWNED UNITS AND ALL COMMON AREAS.~~

29 ~~(3) “SHOPPING CENTER” HAS THE MEANING STATED IN § 7-303~~
 30 ~~OF THIS SUBTITLE.~~

31 (B) **THE COMMISSION MAY AUTHORIZE THE USE OF A MASTER METER**
 32 **IN A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING ~~OR SHOPPING CENTER~~ FOR**
 33 **HEATING, VENTILATION, AND AIR CONDITIONING SERVICES WITHOUT**
 34 **REQUIRING INDIVIDUAL METERING OR SUBMETERING FOR HEATING,**
 35 **VENTILATION, AND AIR CONDITIONING SERVICES AS PROVIDED UNDER § 7-303**
 36 **OR § 7-304 OF THIS SUBTITLE IF:**

1 (1) THE UTILITY BILL FOR HEATING, VENTILATION, AND AIR
 2 CONDITIONING SERVICES FOR EACH INDIVIDUALLY LEASED OR OWNED
 3 OCCUPANCY UNIT ~~OR SHOPPING CENTER UNIT~~ IS INCLUDED IN THE RENT ~~OR~~
 4 ~~MONTHLY FEE OR ASSESSMENT~~ FOR THAT UNIT; ~~AND~~

5 (2) THE COMMISSION IS SATISFIED THAT THE USE OF THE
 6 MASTER METER FOR HEATING, VENTILATION, AND AIR CONDITIONING SERVICES
 7 WILL RESULT IN A NET SAVINGS OF ENERGY OVER THE ENERGY SAVINGS THAT
 8 WOULD RESULT FROM INDIVIDUAL METERING OR SUBMETERING FOR HEATING,
 9 VENTILATION, AND AIR CONDITIONING SERVICES; AND

10 (3) EACH INDIVIDUALLY LEASED OR OWNED OCCUPANCY UNIT:

11 (I) HAS INDIVIDUAL METERED SERVICE FOR OTHER
 12 ENERGY SERVICES; AND

13 (II) DIRECTLY RECEIVES THE UTILITY BILL FOR THE OTHER
 14 ENERGY SERVICES.

15 (C) BEFORE AUTHORIZING THE USE OF A MASTER METER FOR HEATING,
 16 VENTILATION, AND AIR CONDITIONING SERVICES, THE COMMISSION MAY
 17 REVIEW THE PROPOSED ALLOCATION OF ~~UTILITY~~ HEATING, VENTILATION, AND
 18 AIR CONDITIONING SYSTEM EXPENSES AMONG INDIVIDUAL UNITS AND COMMON
 19 AREAS SERVED BY THE MASTER METER.

20 (D) IN ACCORDANCE WITH § 7-301 OF THIS SUBTITLE, AN ELECTRIC
 21 COMPANY OR A GAS COMPANY MAY INSPECT AND TEST A MASTER METER
 22 AUTHORIZED FOR USE BY THE COMMISSION UNDER THIS SECTION.

23 ~~(E) THIS SECTION DOES NOT APPLY TO ELECTRICITY SUPPLIED IN THE~~
 24 ~~SERVICE TERRITORY OF AN ELECTRIC COOPERATIVE.~~

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 26 ~~October~~ July 1, 2010. It shall remain effective for a period of 3 years and, at the end of
 27 June 30, 2013, with no further action required by the General Assembly, this Act shall
 28 be abrogated and of no further force and effect.